

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Eastern

District of

Texas

FILED-CLERK
U.S. DISTRICT COURT
2008 APR 14 AM 11:38
TX EASTERN-MARSHALL

Soverain Software LLC

V.

~~BY~~
SUMMONS IN A CIVIL ACTION

CDW Corporation,
Newegg Inc.,
Redcats USA, Inc.,
Systemax Inc., and
Zappos.com, Inc.

CASE NUMBER: 6:07cv511

TO: (Name and address of Defendant)

Systemax Inc., 11 Harbor Park Dr., Port Washington, NY 11050, by and through the
Secretary of State, State of Texas, P.O. Box 12079, Austin, Texas 78711-2079.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kenneth R. Adamo
Jones Day
2727 North Harwood St.
Dallas, Texas 75201-1515

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

DAVID J. MALAND

NOV 02 2007

CLERK OF COURT

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>11-15-07</u>	
NAME OF SERVER (<i>PRINT</i>) <u>Phil Wilson</u>	TITLE <u>Secretary of State</u>	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div><input type="checkbox"/> Returned unexecuted:</div>		
<input checked="" type="checkbox"/> Other (specify): <u>Secretary of State</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <u>\$0.00</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



The State of Texas
Secretary of State

2008-142662-3

I, the undersigned, as Secretary of State of Texas DO HEREBY CERTIFY that according to the records of this office, a copy of the Summons In A Civil Action and Complaint For Patent Infringement in the cause styled:

Soverain Software LLC VS CDW Corporation Newegg Inc Redcats USA
Inc Systemax Inc and Zappos.com Inc
United States District Court Eastern District of Texas
Cause No: 607CV511

was received by this office on November 7, 2007, and that a copy was forwarded on November 9, 2007, by CERTIFIED MAIL, return receipt requested to:

Systemax Inc
11 Harbor Park Dr
Port Washington, NY 11050

The RETURN RECEIPT was received in this office on November 15, 2007, bearing the Signature Of Addressee's Agent.

Date issued: November 15, 2007

A handwritten signature in black ink that reads "Phil Wilson".

Phil Wilson
Secretary of State

ST/lsv

